

Application No.: 10/647637
Amendment dated: August 18, 2005
Reply to Office action of June 1, 2005

REMARKS/ARGUMENTS

With the amendment, the application now presents a single amended claim 1, which is in substance a modified version of claim 4, in which the slide rail and rail support are formed of glass fiber-reinforced polyamide 66 resin, and in which the covering of the slide rail, and the rail support, including the covering of the inner surface of the pivoting hole and the seating surface of the boss portion, is composed of polyamide 66 resin. The selection of polyamide 66 resin for both the core and the covering produces a guide having both high strength and superior wear-resistance. As pointed out in the Applicant's specification, glass fiber-reinforced polyamide 66 is preferred as the most suitable resin for the core (paragraph 0023), and polyamide 66 is also preferred as the material of the outer surface layer (paragraph 0024).

The rejection under 35 USC §103 is based upon French patent 2736123 in view of U.S. patent 6,890,277 (Inoue et al. '277). The French patent shows a sandwich-molded chain guide lever having a skin, and the '277 patent is relied upon for a teaching of a sandwich-molded chain guide lever in which a skin covers the inside of the pivoting hole.

The structures of the two prior art guide levers are different. In the French patent, a unitary core constitutes the core of both the guide rail and the support, and a skin covers both the rail portion and the rail-supporting portion of the core. In the '277 patent, the support is not unitary with the guide rail, but the skin enveloping the support is unitary with the guide rail.

The '277 patent teaches that the rail can be composed of any nylon from the group consisting of nylon 6, nylon 66,

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nylon 46 and aromatic nylons (column 5, lines 23-32), while the rail support may be composed of nylon 6, nylon 66 or the like, reinforced by fiber-shaped, or dispersed particulate inorganic material (column 5, lines 33-43). Using the same polymers for both the skin and the core of the rail support in the '277 patent is appropriate because both the rail and the core of its support are load-bearing elements, and the skin happens to be formed as a unit with the rail. On the other hand, in the French patent, where the core of the rail and the core of the rail support are unitary, and both are enveloped by a skin, there is no similar reason for the core and the skin to be composed of the same resin. The French patent teaches, at page 3, lines 22-30:

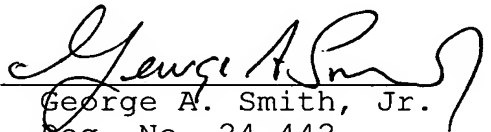
"According to the figure 2, the body of the base 12 is composed of a core 30, for example of polyamide reinforced by glass fibers. An outside skin 32 surrounds the core 30. This skin is for example realized in a non reinforced-polyamide, stabilized by heat. The material 30 of the core has an objective of giving the necessary solidity to the body of the base 12 and to the tensioner rail 10. The exterior skin 32 is useful to form at least the body of the slip coating 13. The material of the exterior skin 32 should be resistant to the abrasion."

However, as stated in the abstract of the French patent, "The material forming the body (32) is a plastic with reinforcing additives, for example, a polyamide reinforced with glass fibers, while the outer coating is another plastic which is resistant to abrasion," the word "another" implying that the resins should be different.

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Thus, although one might readily infer from the '277 patent that the resin of the skin and the resin of the core of the support could be the same when the skin is unitary with the slide rail, no corresponding inference can be taken from the French patent. The French patent expressly teaches that the skin is "another" plastic. It follows that the French patent and the '277 patent, whether considered individually or together, do not fairly teach the use of polyamide 66 as the resin in both the core and the skin of a tensioner lever, where the skin envelops both the rail and the rail support.

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